

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A "PRIOR" PATENT**Docket Number (Optional)
5940.US:C3 (065483-0384)

In re Application of: Donald J. Davidson, et al.

Application No.: 10/753,846

Filed: 1/08/2004

For: NOVEL ANTIANGIOGENIC PEPTIDES, POLYPEPTIDES ENCODING SAME AND METHODS FOR INHIBITING ANGIOGENESIS

The owner, Abbott Laboratories, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 6,699,838 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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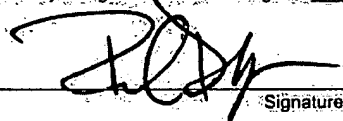
is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

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2. ☒ The undersigned is an attorney or agent of record. Reg. No. 37,477


Signature

9/23/08
Date

Paul D. Yasger
Typed or printed name

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Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

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